

FILED

DEC 07 2005

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NEBRASKA DEPARTMENT
OF INSURANCE

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

PLATTE VALLEY ABSTRACT AND
TITLE COMPANY AND
JOYCE A. LOW,

RESPONDENTS.

CONSENT ORDER

CAUSE NO. A-1645

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair and Platte Valley Abstract & Title Company and Joyce A. Low ("Respondents"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§44-101.01, 44-4047 et seq. and 44-19,106 et seq. (Reissue 2004).

2. Respondents were licensed as an insurance agent and agency under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Platte Valley Abstract & Title Company and Joyce A. Low, Cause Number A-1645 on November 1, 2005. A copy of the petition was served upon the Respondents at the Respondents' address registered with the Department by certified mail, return receipt requested.

2. Respondents violated §§44-1525(11) and 44-4059(1)(b) (Reissue 2004) as a result of the following conduct:

- a. On or about August 31, 2005, Barbara Ems, Insurance Investigator for Petitioner, sent a letter to Respondent requesting information regarding an investigation. The letter specifically stated, "Nebraska Revised Statute 44-1525(11) requires response within fifteen working days." Respondent failed to respond within fifteen working days.
- b. On or about September 29, 2005, Jane Francis, Administrator of the Consumer Affairs Division for Petitioner, sent a second letter via certified mail to Respondent, attaching a copy of the August 31, 2005 letter, noting Respondent's failure to respond to the August 31, 2005 letter, requesting an immediate response, and stating "Failure to respond to this Department within fifteen working days may be a violation of the Insurance Producers Licensing Act, Nebraska Revised Statute 44-1515(11), and could result in the suspension or revocation of your license." Petitioner received a return receipt card from the United States Postal Service verifying that letter was delivered to Respondent on October 11, 2005. Respondent failed to respond within fifteen working days, and to date has not provided a response.

3. Respondents were informed of their right to a public hearing. Respondents waive that right, and enter into this Consent Order freely and voluntarily. Respondents understand and acknowledge that by waiving their right to a public hearing, Respondents also waive their right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondents admit the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondents' conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§44-1525(11) and 44-4059(1)(b) (Reissue 2004).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondents, Platte Valley Abstract & Title Company and Joyce A. Low, that Respondents shall pay an administrative fine in the amount of one thousand dollars (\$1000.00) due within 30 days

after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required under this consent order, within the time specified, Respondents' Nebraska insurance producer license and agency license shall both automatically be revoked. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.

Janette L. Adair
Janette L. Adair, #22618
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

12-5-05
Date

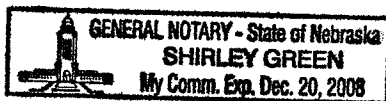
Platte Valley Abstract & Title Company
Platte Valley Abstract & Title Company,
Respondent

By: Jeffrey A. Low
12/2/05
Date

State of Nebraska)
County of Scotts Bluff) ss.

On this 2 day of December 2005, Jeffrey A. Low personally appeared before me on behalf of Platte Valley Abstract & Title Company and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

Shirley Green
Notary Public

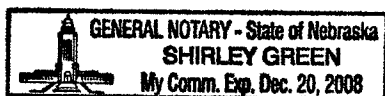


Joyce A. Low
Joyce A. Low, Respondent

12-2-05
Date

State of Nebraska)
County of Scotts Bluff) ss.

On this 2 day of December 2005, Joyce A. Low personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be her voluntary act and deed.



Shirley Green
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Platte Valley Abstract & Title Company and Joyce A. Low, Cause No. A-1645.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

L. Tim Wagner
L. TIM WAGNER
Director of Insurance

12/7/05
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondents, at 1923 First Avenue, P.O. Box 851, Scottsbluff, NE 69361, by certified mail, return receipt requested on this 9th day of December, 2005.

Sheryl L. Luhn

RECEIVED
DEC 14 2005
JANUARY 10 2006
JANUARY 10 2006